

# **EXHIBIT 10**

**STEVE SPRITZER**

1

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE SOUTHERN DISTRICT OF NEW YORK  
3 CASE NO.: 1:19-CV-10720-LGS-BM

4 -----x  
5 DAVIDSON HENAO, MIGUEL MERO, OMOBOWALE AVOSEH,  
6 RASHEEM MARTIN and SHAWN WILLIAMS, for themselves  
7 and all others similarly situated,

8 Plaintiff,

9 - against -

10 PARTS AUTHORITY, LLC, PARTS AUTHORITY, INC.,  
11 YARON ROSENTHAL, NORTHEAST LOGISTICS, INC.,  
12 d/b/a "Diligent Delivery Systems," ARIZONA  
13 LOGISTICS, INC., d/b/a "Diligent  
14 Delivery Systems," BBB LOGISTICS, INC., d/b/a  
15 "Diligent Delivery Systems,"  
16 MICHIGAN LOGISTICS, INC. D/b/a "Diligent  
17 Delivery Systems", LARRY BROWNE, DOES 1-20  
18 d/b/a "Diligent Delivery Systems," and  
19 DOES 21-40,

20 Defendants.

21 -----x  
22 May 18, 2021  
23 10:04 a.m.

24 VIDEOTAPED DEPOSITION of STEVE SPRITZER,  
25 held REMOTELY, before Victoria Russo, a Certified  
Shorthand Reporter and Notary Public within and for  
the States of New York and New Jersey, commencing  
on the above date and time.

**STEVE SPRITZER**

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1 Q. What else?

2 A. That's all, to my knowledge.

3 Q. Did you make any attempt to ascertain  
4 which departments would have these documents?

5 A. Yes.

6 Q. What did -- how did you do that?

7 A. Based on previous searches that we  
8 have done would identify which departments and  
9 individuals have said documents in their custodian.

10 Q. Does the Google Drive have to be --  
11 how can one get documents from the Google Drive?

12 A. They can log into the web portal,  
13 upload or download them.

14 Q. And can one log into the web portal  
15 and search all across the Google Drive regardless of  
16 department?

17 A. No, IT can but --

18 Q. So IT can. Is there any burden to IT  
19 for running searches all across the Google Drive?

20 A. Yes.

21 Q. What is the burden?

22 A. Time and effort and the scope of the  
23 search, depending on what criteria we are searching  
24 for, can actually crash the search causing us to  
25 start over from scratch.

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1           A.     Administrative staff, counter staff.  
2     It's almost everyone.

3           Q.     Okay.

4                     Does Parts Authority have any e-mail  
5     systems other than Google Mail?

6           A.     No.

7           Q.     Are all e-mails archived on Google  
8     Mail?

9           A.     Yes.

10          Q.     Does Parts Authority permanently  
11     delete any e-mails?

12          A.     No.

13          Q.     Is it possible to search all Parts  
14     Authority e-mails simultaneously through Google Mail  
15     or do searches have to go custodian by custodian?

16          A.     It is possible to search all  
17     mailboxes.

18          Q.     Is that something Parts Authority has  
19     done in the past?

20          A.     Yes.

21                     MS. STILLER: I'm going to -- okay.  
22     Go ahead. Sorry. Give me time to object and to  
23     unmute myself.

24          Q.     How often -- how many times has Parts  
25     Authority searched all mailboxes?

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1 A. Not personally.

2 Q. Have you spoken with people who have  
3 run the searches?

4 A. Yes.

5 Q. Do you have any -- what is the  
6 shortest search of which you are aware time-wise?

7 MS. STILLER: Objection.

8 You can answer.

9 A. I'm not aware of a time frame of an  
10 initial search.

11 Q. But you testified that it was  
12 burdensome to do these searches. So how are you not  
13 aware of any time frame for how long the searches  
14 take?

15 MS. STILLER: Objection.

16 A. Because the searches in question have  
17 crashed the system or the searches in question that  
18 I am aware of were broad enough, and that's why they  
19 were brought to my attention.

20 Q. So you have been aware of some broad  
21 searches that crashed the system, but you haven't  
22 done any looking into searches that did not crash  
23 the system?

24 MS. STILLER: Objection.

25 A. Personally, no.

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1 Q. How many searches for this information  
2 have crashed the system?

3 MS. STILLER: Objection.

4 A. I cannot speak to how many. I do not  
5 know.

6 Q. Approximately, how many?

7 MS. STILLER: Objection.

8 A. Again, I do not know approximate.

9 Q. Well, it was brought to your attention  
10 when these searches crashed the system, correct?

11 A. Some of them. Perhaps not all of  
12 them.

13 Q. How many times was it brought to your  
14 attention?

15 A. To my knowledge, a handful.

16 Q. So a handful in the more than hundred  
17 plus drivers for whom Parts Authority has produced  
18 this information has crashed the system, to your  
19 knowledge, correct?

20 MS. STILLER: Objection. It assumes  
21 facts that are not -- well, objection on a variety  
22 of grounds. It's outside the scope of the  
23 deposition. It assumes facts that are -- it assumes  
24 facts that are not in evidence or are not  
25 necessarily accurate, but you can answer, if you

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1 information in its Google Drive?

2 MS. STILLER: Objection. Beyond the  
3 scope.

4 You can answer.

5 A. Yes.

6 Q. Is there a GUI that's used to access  
7 data on the Google Drive?

8 A. Yes.

9 Q. What is the GUI?

10 A. It's called Google Vault, V-A-U-L-T.

11 Q. What is the difference between the  
12 Google Drive and G Suite?

13 A. Google Drive is one part of G Suite.

14 Q. Does Parts Authority provide computers  
15 to some of its employees?

16 MS. STILLER: I'll object to the  
17 extent that it is outside of the 30(b)(6) relating  
18 to this period in its litigation, but other than  
19 that, you can answer it, if you can.

20 A. Parts Authority provides computers for  
21 use at work, yes, to some of its employees.

22 Q. Do individuals store information on  
23 their individual hard drives?

24 MS. STILLER: Same objections as  
25 before.